

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

MARTHA BOERSCH (CABN 126569)
Chief, Criminal Division

ANDREW PAULSON (CABN 267095)
MOLLY K. PRIEDEMAN (CABN 302096)
Assistant United States Attorney

1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510) 637-3680
FAX: (510) 637-3724
andrew.paulson@usdoj.gov
molly.priedeman@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. 23-CR-00110-YGR
)	
Plaintiff,)	STIPULATION TO CONTINUE JANUARY 11,
)	2024 STATUS CONFERENCE TO MARCH 7, 2024
v.)	AND TO EXCLUDE TIME UNDER THE SPEEDY
)	TRIAL ACT AND PROPOSED ORDER; AS
DARRELL WAYNE SMITH,)	AMENDED BY THE COURT
)	
Defendant.)	

This case is currently set for a status conference on January 11, 2024, at 9:00 a.m. The government has made multiple discovery productions to the defense, which the defense is reviewing. The government intends to make additional discovery productions in the near future, which will include, among other things, the digital evidence obtained pursuant to search warrants. Additionally, the parties are working to schedule a reverse proffer with the defendant. As a result, counsel for the United States and counsel for the defendant jointly stipulate and request that the January 11, 2024 status conference be continued to March 7, 2024 at 2:00 p.m., at which time the parties anticipate being able to either set the case for trial or for a change of plea. The defendant currently resides in Florida, and therefore requests

1 that the status conference be conducted via Zoom to avoid traveling to the Northern District of
2 California.

3 The government and counsel for the defendant have agreed that time be excluded under the
4 Speedy Trial Act so that defense counsel can continue to prepare. The government has produced
5 discovery and will make additional discovery productions, and defense counsel needs time to review the
6 discovery to adequately prepare Mr. Smith's case. For these reasons, the parties stipulate and agree that
7 excluding time from January 8, 2024 to March 7, 2024 will allow for the effective preparation of
8 counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of
9 justice served by excluding time from January 8, 2024 to March 7, 2024 from computation under the
10 Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.
11 §§ 3161(h)(7)(A), (B)(iv).

12 The undersigned Assistant United States Attorney certifies that he has obtained approval from
13 counsel for the defendant to file this stipulation, request, and proposed order.

14
15 IT IS SO STIPULATED.

16
17 DATED: January 8, 2024

/s/ Andrew Paulson
ANDREW PAULSON
Assistant United States Attorney

18
19
20 DATED: January 8, 2024


/s/ Naomi Chung
NAOMI CHUNG
Attorney for the Defendant

PROPOSED ORDER

The status conference currently set for January 11, 2024 is hereby continued to March 7, 2024 at 2:00 p.m. The hearing will occur via Zoom. Based upon the representations of counsel and for good cause shown, the Court finds that failing to exclude the time from January 8, 2024 to March 7, 2024 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from January 8, 2024 to March 7, 2024 from computation under the Speedy Trial Act outweighs the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from January 8, 2024 to March 7, 2024 shall be excluded from computation under the Speedy Trial Act.

IT IS SO ORDERED.

DATED: January 8, 2024


THE HONORABLE YVONNE GONZALEZ ROGERS
United States District Judge